

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BRIAN L. BROWN,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-06-228-F
)	
DON NARVAIS,)	
)	
Defendant.)	

ORDER

On February 24, 2009, United States Magistrate Judge Gary M. Purcell issued a Supplemental Report and Recommendation (doc. no. 131), wherein he recommended that Defendant's Motion for Summary Judgment be denied without prejudice to its renewal following an adequate time for the parties to conduct further discovery.


Presently before the court is Defendant's Objection to the Supplemental Report and Recommendation. Having conducted a de novo review of the matter in accordance with 28 U.S.C. § 636(b)(1), the court concurs with the recommendation of Magistrate Judge Purcell. The court therefore accepts, adopts and affirms the Supplemental Report and Recommendation.

Accordingly, the Supplemental Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell on February 24, 2009 (doc. no. 131) is **ACCEPTED, ADOPTED and AFFIRMED.**

Defendant's Motion for Summary Judgment, filed June 13, 2008 (doc. no. 93), is **DENIED** without prejudice to its renewal following an adequate time for the parties to conduct further discovery.

This matter is re-referred to Magistrate Judge Gary M. Purcell for further proceedings in accordance with 28 U.S.C. § 636.

Entered this 17th day of March, 2009.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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